

THIEF'S DEFENSE OPENED

Witnesses Testify That He Was Good to His Wife.

HIS SISTERS ON THE STAND.

WAS MRS. THIEDE ADDICTED TO DRINKING EXCESSIVELY?

Several Parties Testify That She Appeared to Be Drunk and Sustained Her Case by Testimony of Her Sisters.

The greater part of yesterday was occupied in Judge Barlow's division of the Third district court with the examination of witnesses for the defense in the Thiede murder case. In the main the testimony went to show that Thiede was good to his wife, provided well for her and did not beat or abuse her. The indications at present are that the trial will last during the remainder of this week, as the defense have yet a large number of witnesses to call. In all probability the defendant will be on the stand today.

MRS. EVA BERG, a witness for the prosecution, took the stand, and, in reply to Mr. Howat, said she lived a few minutes' walk from Thiede's saloon, and knew Mrs. Thiede slightly; she came to witness house.

"Was she crying?"

"Not when she came in, but she had been crying."

"How long did she stay?"

"About five minutes. When she left she said she was going home."

Cross-examined by Mr. Cherry.

"What language did you speak?"

"A little English, a little Swedish and a little German, and we managed to understand each other."

JOHN ANDERSON lived at Murray, 290 yards from Thiede's saloon.

"Did you hear any screams on the night of the killing?"

"Yes."

"At what hour?"

"I couldn't say."

"How many screams did you hear?"

"Three or four."

"Where did the screams come from?"

"From Thiede's saloon."

"Was it a man's or woman's voice?"

"I couldn't say."

Cross-examined by Mr. Cherry, Jr.

"What time did you go to bed?"

"About 10 o'clock."

"Did you see Mrs. Thiede that night?"

"Yes; I saw her in front of her house a little before 10 o'clock."

"Were the screams loud?"

"Not very loud."

"How do you know the screams came from Thiede's saloon?"

"They were coming that direction."

W. F. HILLS, jailor at the county jail, said, in reply to Mr. Howat, that Thiede had been at the county jail for some months. He was right handed.

THE DEFENSE OPENS.

This closed the case of the prosecution, and the defense opened by calling A. V. Miller. Examined by Judge Cherry, he said he was a civil engineer, and had made a drawing of the premises where the murder was committed. He testified that the plate used during the trial, were correct.

ROBERT KEYSOR was acquainted with Charles Thiede, and knew his wife in her life time. He knew them for five years. Worked for Thiede for about two months.

"During the time that you worked there where did you have your meals?"

"At Thiede's house."

"State what you observed as to the conduct of Thiede and his wife towards each other?"

"They got along first rate as far as I know."

"Did you ever see him strike her?"

"No."

"Did you ever see her with a black eye or scratched face?"

"I never noticed anything of the kind."

"Did you ever see any acts of kindness done by Thiede to his wife?"

"Yes; about a year ago, when she was going to town, he kissed her good by."

Counsel was about to interrogate the witness as to the general furnishing of the Thiede house, but Judge Howat objected.

Judge Cherry said he wanted to show that Thiede had provided his wife with a cozy home and had not neglected her, as the prosecution had sought to show. The question was allowed and witness answered.

"He had good furniture in the house."

"What was the character and quantity of the food while you were there?"

"It was good and there was plenty of it."

"Did Thiede ever make his wife any presents?"

"Yes; he gave her a gold watch for a Christmas present."

"When you were not working there did you have occasion to pass Thiede's house, and if so, did you notice whether Mrs. Thiede ever had a black eye or bruises about the face?"

"I passed often, but I never saw her with bruises on her face."

nearly every night for the last three or four years in Thiede's saloon?"

"Yes."

MARTIN PEARSON lived at Sandy. He is a merchant and has lived at Sandy nine years. He married Thiede's sister five years ago and was on friendly social terms with the Thiede's ever since, and frequently visited at their place.

"What did you ever see in regard to Thiede's conduct towards his wife?"

"I never saw anything wrong between them."

"Did you ever see Mrs. Thiede with black eyes or bruised face?"

"No."

"When did you last see Mrs. Thiede in life?"

"On April 20 last."

"What were you going there?"

"My brother-in-law, Smith, his wife and myself and wife drove up to see the industrial army camp, and on the way home called at the saloon to get a drink."

"What time in the evening was that?"

"About 8 o'clock."

"How did Thiede and his wife act towards each other that evening?"

"Friendly."

"Were her eyes red from crying?"

"I didn't observe."

"You went to the industrial army camp?"

"Yes."

"What was the army doing; running around or camping together?"

"Objected to by Mr. Howat and objection sustained."

"Did you see any of the army going in the direction of Thiede's saloon?"

"Yes."

"How many?"

"Several."

"What time was that?"

"About 6 o'clock."

Cross-examined by Mr. Howat.

"Were any of the industrial army people in the saloon when you were there?"

"No."

"Who served you with the drinks in the saloon?"

"Mrs. Thiede."

MRS. LOUISA PEARSON, wife of the previous witness, and sister to the defendant, said she had been four and one-half years in this country and visited at Thiede's house three or four times a month. When ever Thiede visited with them they were always on the best of terms.

"Did Charles and Mrs. Thiede ever visit at your house?"

"Yes; frequently."

"What kind of a home did they have?"

"A very nice home and well furnished. He fixed his home up for her whilst she was away in Germany."

"He fixed his home up for her whilst she was away in Germany?"

"Did he make her presents?"

"Yes; frequently. He once gave her a gold watch."

"Did you see her on the night she was killed?"

"Yes."

"Where?"

"We called at the saloon after we left the industrial army."

"How long did you stay?"

"Five or ten minutes."

"Were Mr. and Mrs. Thiede friendly that night?"

"Yes; I saw her in front of her house a little before 10 o'clock."

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"Not very loud."

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ate a meal at Thiede's house?"

"Yes; it was in the afternoon."

"State whether in all the times you visited back and forth you ever saw them quarrel?"

"I never saw them quarrel."

Judge Howat asked the witness a few questions in cross-examination, but nothing of importance was elicited.

FRIEDRICH RIENEN said he was acquainted with Thiede and his wife; had known them for six years.

"How frequently did you see Mrs. Thiede in the city?"

"About twice a month."

"What did you see her?"

"Generally in my place of business."

"Did you ever see her with her face bruised?"

"No; I believe not."

"Did you ever see her at her home?"

"Yes; once, I think it was on Sunday afternoon in 1892."

"Did you take a meal there?"

"No."

"Were there any wounds or bruises on her person at that time?"

"I didn't see any."

"Were they friendly when you were there?"

"Yes."

CHARLES SHARP was well acquainted with Thiede and his wife. He worked there for a while. The relations between them as far as witness knew were pleasant and agreeable. He saw Mrs. Thiede about a year and a half ago with a bruise on her cheek.

The jury said they were feeling weary and asked for a recess of a few minutes to go out and get a little fresh air. The court ordered a recess of five minutes.

RICHARD ELROY examined by Mr. Cherry said he had known Mr. and Mrs. Thiede for six years. Until a year and a half ago he was very intimate with them; lately he hadn't seen so much of them. He had never seen Mrs. Thiede with bruises about her face; had never seen them quarrel and never heard Thiede call her bad names.

By Judge Howat—

"Did you ever hear Mrs. Thiede scream?"

"I don't know; I couldn't recognize the voice."

"Did you hear screams?"

"Objected to and objection sustained."

A. SJOBLUM said he lived on West First South street where he kept a grocery store. He knew the Thiedes since October 1893. He went down to Murray and sold them groceries. He had never seen them quarreling; he delivered groceries there on Monday, April 20.

Mrs. Pearson was recalled and in reply to Judge Howat said she was 30 years of age, was married in Salt Lake March 1, five years ago last March. Her maiden name was Louisa Thiede.

FRANZ MOEDER said he lived at Hustler's mill on the State road near Murray; had known the Thiedes for six or seven years; was frequently at their house, and place of business; had never seen them quarrel and never knew Mrs. Thiede's face to be bruised or cut.

In reply to Mr. Howat witness said he had only seen Mrs. Thiede two or three times in the six months previous to the time she was killed.

A. H. AILBERG was a clerk in Harry Haynes' store at Murray; knew Mr. and Mrs. Thiede for about three years; had never seen them quarrel and had never seen Mrs. Thiede with her eyes black or her face bruised.

"Did you ever see Mrs. Thiede fall?"

"I heard the little girl scream; I looked into the saloon and saw Mrs. Thiede lying on the floor."

"Could you tell from her appearance whether she was drunk or not?"

"No; I couldn't tell."

"Did you say anything about it to anyone?"

"I mentioned it to Mr. Nordquist."

"Was Thiede there at the time Mrs. Thiede was lying on the floor?"

"No."

"Did you see Thiede's place on the morning after the killing?"

"Yes; I went with Deputy Sheriff Cannon."

"Did you go into the saloon?"

"Yes; one day, the winter before last, I came to the saloon. She asked me to take a drink. I took it, and she asked me to take another. Then I set 'em up and she set 'em up, and she got a little drunk."

"Did you see Mrs. Thiede on the night she was killed?"

"Yes; I went to the saloon with my wife, and I said to Mrs. Thiede, 'No, no, to the saloon and give me a drink.' She gave me a drink and took a glass to my wife."

"Did you see Charles?"

"Yes; I went with him to look at his pigs."

"What else did you do?"

"They all went out all the time looking after that pig."

"Was there anything unpleasant between Thiede and his wife that evening?"

"No; nothing."

Cross-examined by Mr. Howat:

"How long is it since you say you saw Mrs. Thiede under the influence of liquor?"

"About a year ago."

"How much did you drink that time and how much did she take?"

"I had four or five drinks of her and she had more."

"Was that the only time you ever saw her under the influence of liquor?"

"Yes."

After the noon recess Loretta Bloom, of Murray, was called to the stand. She resides about half a mile from Thiede's, and said she saw Mrs. Thiede at the saloon about 9 o'clock on the night before the murder. About 3 o'clock the same afternoon Mrs. Thiede came to witness's house and remained there talking about three hours. She was feeling "good" when she left.

"How did she act the whole afternoon?"

"She cried once; but when she went away she was in a good humor."

Witness had eaten with Mr. and Mrs. Thiede at their table, and never saw any trouble between them there.

TELLER TYRE RELEASED

A SETTLEMENT MADE AND THE CASE DISMISSED.

The Defendant's Friends were Faithful—That Mysterious Letter—Business Disposed of in the Police Court Yesterday.

After being in the custody of the police on the charge of embezzlement for a week, George C. Tyre, ex-paying teller at Walker Bros. bank, was last night given his liberty, and left the headquarters of the department in the company of a number of his friends, who have stood beside him during his trouble. The cause of the dismissal was the settlement of the issues which led to the arrest of Tyre, and the lack of desire on the part of the people wronged to prosecute the case.

From the time of his arrest to the discharge, Tyre was never in the trust sense, a prisoner, having been allowed comparative liberty under the watchful eyes of two specially detailed officers. Chief Pratt's office was the only prison cell he has occupied, but this luxury cost him \$10 daily. It is said that both Walker Bros. and the Guarantee-Indemnity Company of North America have been made whole for the losses they sustained through Tyre's peculations.

THAT MYSTERIOUS LETTER. No Authors of the London Jail Delivery Story Yet Found.

Considerable interest was awakened in police circles yesterday by the publication of the Associated Press dispatch, which announced that the chief of police of Omaha was in receipt of a sensational dispatch from Salt Lake. This dispatch gave the particulars of an alleged conspiracy looking to the release of a large number of criminals from the London prison, and bore the names of William Doran, James Corbett and James Manning as signatories. While the matter was treated as a huge fake, an investigation of the police records revealed the fact that all three of the names appeared thereon. In June, James J. Manning was arrested for selling fruit and vegetables within the restricted district, given a hearing and discharged. James Corbett, on Oct. 9, forfeited \$5 for drunkenness, while William Doran, alias "Prison Blacky," was only released from the city jail yesterday morning, having served 120 days for having burgled tools in his possession, and for breaking jail. When shown the dispatch, Doran denied all knowledge of its authorship. Who wrote the letter is still a mystery.

In the Police Court. Police Justice Smith was not a busy man, especially yesterday, and but few cases were called to his attention. Pat Mitchell and C. C. Rash were each fined \$10 for fighting, while Joseph A. Smith, charged with the same offense, was released on \$50 bonds.

Another continuance was taken in the case of Anderson Bros., charged with violating the laws of the city, and Brigham West, against whom the charge of keeping a vicious dog, still stands on the records. The former will be heard on the 25th and the latter on the 19th.

An Ample Fund of Pleasure and Health

May be derived from an ocean voyage and foreign travel. But before one sets out on such a journey, it is well to consider the quality, quantity and character of the food which will be consumed. A diet of sea food, of course, more healthful than that of land animals, but sea food is not always available. Against the frightful nausea it produces, Hostetter's Stomach Bitters is a reliable remedy, and is so esteemed by sailors, commercial travelers, yachtsmen and mariners. An ailment akin to sea sickness often afflicts land travelers with weak stomachs. This is often brought on by the jarring of a railway train. Disquietude in the gastric region from this cause is always remedied by the Bitters, which also prevents and cures indigestion, flatulency, nervous and kidney trouble, constipation and biliousness.

WOOL AND SILVER.

To the Editor of The Herald: The following clipping from the Rural World is enclosed with the hope that you will print it. In order that your readers may know the sentiments of a wool grower in Missouri regarding the McKinley tariff policy, which was recently modified by a Democratic Congress. I presume there are many more wool growers in the United States who, like this man, are "glad the McKinley Act is dead and buried."

I partially agree with him when he says for a reason in the tariff and tariff reform. Let the present law be fairly tried before further attempts are made to change it.

The question now confronting the country is that of money. Let us now decide whether silver shall be removed on the old ratio, or whether monometallism with all of its attendant evils shall become the policy of the country. It should be silver money whether other countries say so or not.

Editor Rural World:—Those were noble words uttered by V. K. W. on the last page of last week's paper. The pay is the man did not give his name and address that we might have known him. We are glad the McKinley Act is dead and hope it is buried beyond the possibility of resurrection. Let us have a rest in the matter of the tariff and see what this country can do with the unaided assistance of its own energy.

Wool Grower, Saline County, Mo. H. D. J.

The Murderers of Burns. The Herald recently published the theory of Detective E. A. Franks respecting the route taken by the murderers of Sheriff Burns, and the following letter on the subject will be read with interest:

Price, Oct. 15, 1894. County Clerk of Sanpete county: Dear Sir:—Information has just come to me which would indicate that the theory of Detective Franks respecting the Burns murderers is the correct one, viz: That Kofford and Nickie went north instead of south on Saturday, the 6th inst. two men answering the description of the murderers arrived at Wellington, in this county. They were welcomed and avoided inspection with the settlers and were met at that point by a man who brought them two saddle horses and a pack horse. They made some inquiry respecting a north road toward Wyoming. I do not know the address of your present sheriff, or so write you. The men talked with Jeff. T. Wells and his wife in Wellington. Yours etc.

A. BALLINGER.

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